

**Municipal Review Committee
Planning & Zoning Conference Room**

**November 15, 2004
7:00 p.m.**

Municipal Review Committee Meeting Minutes of November 15, 2004

Attendance:

Lou Depowski, MRC Member	Paul Shear, MRC Member
Matt Balling, MRC Member	John Moulin, MRC Member
Rich McNamara, MRC Member	Dan Michnik, MRC Member
Jim Callahan	Jim Hartz
Jeff Grenzebach, Planning Board Liaison	Sean Hopkins
Phil Silvestri	Calvin Caruso
Scott Bylewski, Town Board Liaison	

Agenda Item I - Bubble Boy Car Wash - 6705 Transit Road

Sean Hopkins was present to briefly describe the last meeting with the NYSDOT officials that occurred on Tuesday (11/9) in the Planning and Zoning Conference Room. In a letter to the Town, the agency prefers the plan with the access drive located to the North of the site in order to avoid head-to-head left turns. There was no further discussion on the item.

ACTION: Motion by Paul Shear, seconded by Lou Depowski, that the board recommend that the Town Board issue a negative declaration on this proposed action.

VOTING: Ayes: Shear, Depowski, Michnik, Moulin
Nays: McNamara, Balling
Absent: Sgamma

MOTION PASSED

Agenda Item II - Local Law regarding all land use decisions be in conformance with the adopted comprehensive plan

Jim Callahan explained that the reason for this local law was a recent Appellate Division ruling of State Supreme Court that stated the Town does not have an existing local law that requires conformance with a comprehensive plan for any land use decision, even though it is clearly stated in Town Law Section 272-a, that any Town that has adopted a comprehensive plan must also follow it.

Jim Hartz stated that the MRC would not do anything differently with their environmental reviews as a result of this legislation. They will still make sure that any projects are in conformance with the adopted local comprehensive plan.

ACTION: Motion by John Moulin, seconded by Dan Michnik, that the Town Board issue a negative declaration regarding this proposed legislation.

VOTING: Ayes: Shear, Depowski, Michnik, Moulin, McNamara, Balling
Absent: Sgamma

MOTION PASSED

Agenda Item III – Walgreen's
6785 Transit Road

Jim Callahan briefly described the project at the corner of County and Transit Roads. The proposed action is an Unlisted Action under SEQRA, but the board felt that there should be a coordinated review because of the presence of a 100-year flood zone and the potential for State and Federal Wetlands throughout the property. Matt Balling also stated that the new zoning would have to be looked at because of the timing and that it appears the site plan will not fit the requirements.

ACTION: Motion by Matt Balling, seconded by Paul Shear, that the board recommends that the Town Board declare this proposed action an Unlisted Action and seek Lead Agency status.

VOTING: Ayes: Shear, Depowski, Michnik, Moulin, McNamara, Balling
Absent: Sgamma **MOTION PASSED**

Agenda Item IV- NOCO Demolition Permit
8945 Main Street

Jim Callahan explained that as a result of new legislation enacted by the Town Board, any demolition of structures built prior to 1950 are considered Type I actions under SEQRA and require a coordinated environmental review.

ACTION: Motion by Rich McNamara, seconded by John Moulin, that the board recommend that the Town Board seek Lead Agency status for this proposed action.

VOTING: Ayes: Shear, Depowski, Michnik, Moulin, McNamara, Balling
Absent: Sgamma **MOTION PASSED**

Meeting adjourned at 8:00 p.m.

The next meeting will be held on Monday, December 13, 2004.